



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

HOVEY WILLIAMS LLP  
Suite 400  
2405 Grand  
Kansas City MO 64108

**COPY MAILED**

**OCT 09 2003**

**OFFICE OF PETITIONS**

Applicant: Deshpande  
Appl. No.: 10/062,790  
Filing Date: February 1, 2002  
Title: ORGANIC ANTI-REFLECTIVE COATING COMPOSITIONS FOR ADVANCED MICROLITHOGRAPHY  
Attorney Docket No.: 31937  
Pub. No.: US 2003/0162125 A1  
Pub. Date: August 28, 2003

This is in response to the request for correction of patent application publication under 37 CFR 1.221(b), which was filed on September 19, 2003.

The request is DISMISSED.

The instant request is that the application be republished because the patent application publication contains an error in dependent claim 12, as the phrase "based upon the total weight of the polymer taken as 100% by weight" is misprinted as "based upon the total weight of the polymer taken as 1100% by weight".

37 CFR 1.221(b) is applicable "only when the Office makes a material mistake which is apparent from Office records." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.<sup>1</sup> The instant request does not identify a material mistake in the publication made by the Office:

The error in the dependent claim 12 is an Office error, but it is a obvious typographical error which is understandable as such from reading the claim in which the term is used, as terms are not read in a vacuum. The phrase "based upon the total weight of the polymer taken as 100% by weight" is a common phrase and is used in several other instance in the claims where it is printed correctly. The mistake does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent, as none of the claims rely on this language.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application in compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

---

<sup>1</sup>Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

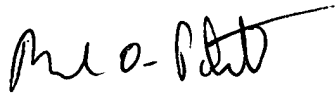
Any request for republication under 37 CFR 1.221(b), should be submitted via the EFS system and questions or request for reconsideration of this decision, should be addressed as follows:

By mail to:                   Mail Stop PGPUB  
                                  Commissioner for Patents  
                                  P.O. Box 1450  
                                  Alexandria, VA 22313-1450

By facsimile:               703-305-8568

The application is being forwarded to Technology Center 1.752 to await further examination in due course.

Inquiries relating to this matter may be directed to Mark Polutta at (703) 308-8122 (voice) or (703) 746-3465 (facsimile).



Mark O. Polutta  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy